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Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 IO-13 DHA-02 L-03 CIAE-00
INR-07 NSAE-00 DODE-00 ACDA-07 INRE-00 SSO-00
PM-04 NSC-05 SP-02 SS-15 NSCE-00 /071 W
----------124689 291256Z /47
O R 291212Z JUN 77
FM AMEMBASSY BONN
TO SECSTATE WASHDC IMMEDIATE 9432
INFO AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION USBERLIN
USMISSION NATO

C O N F I D E N T I A L SECTION 01 OF 03 BONN 10823

DEPARTMENT FOR EUR/CE

E.O. 11652: GDS
TAGS: PGOV, WB, UK, UR, US, FR
SUBJECT: RUDOLF HESS: APPEAL FROM AMNESTY
INTERNATIONAL

REFS: (A) USBER 1685; (B) STATE 141668;
(C) BONN 10173; (D) STATE 139968
(E) USBER 1233

BEGIN SUMMARY: AS REQUESTED BY REF D, THE EMBASSY HAS PREPARED THE SUBSTANTIVE PORTION OF A DRAFT REPLY TO AMNESTY INTERNATIONAL'S LETTER REGARDING RUDOLF HESS. THIS DRAFT HAS BEEN DISCUSSED WITH THE UK AND FRENCH REPS TO THE BONN GROUP. THE FRENCH ARE PLANNING TO SEND A REPLY SIMILAR IN TONE TO THE US REPLY BUT THE UK FCO, WITHOUT REFERENCE TO UK EMBASSY BONN, HAS ALREADY REPLIED IN A LETTER WHOSE TONE IS CONFIDENTIAL

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MORE SYMPATHETIC TO AMNESTY'S ALLEGATIONS. THE UK MINISTER OF STATE SIGNED THE FCO'S LETTER AND THE FRENCH REPORTEDLY PLAN TO HAVE THEIRS SIGNED BY THE FOREIGN MINISTER. ACTION REQUESTED: WE RECOMMEND THAT THE DEPARTMENT SEND THE REPLY WHICH IS SET OUT BELOW AND THAT THE LETTER BE SIGNED AT AN APPROPRIATELY HIGH LEVEL IN THE DEPARTMENT. END SUMMARY

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1. THE UK HAS ALREADY REPLIED TO AMNESTY INTERNATIONAL (PARAGRAPH 5 INFRA) AND THE FRENCH HAVE PREPARED A DRAFT REPLY (PARAGRAPH 6 INFRA) WHICH HAS NOT YET BEEN SENT. WE DISCUSSED A PROPOSED US DRAFT (PARAGRAPH 4 INFRA) OF THE SUBSTANTIVE PORTION OF THE REPLY WITH THE UK AND FRENCH REPS TO THE BONN GROUP ON JUNE 28 AND NEITHER HAD ANY CHANGES TO SUGGEST. THE DEPARTMENT WILL NOTE THAT THE TONE OF THE UK REPLY GOES MUCH FURTHER THAN DOES EITHER THE US OR THE FRENCH DRAFT, AGREEING WITH AMNESTY INTERNATIONAL, FOR EXAMPLE, THAT THE CONTINUED IMPRISONMENT OF HESS IS INHUMANE. WE ARE TOLD THAT THE LETTER WAS SENT BY MINISTER OF STATE GOROWNY-ROBERTS WITHOUT PRIOR REFERENCE TO THE UK EMBASSY IN BONN AND THAT IT REFLECTS THE STRONG INTEREST OF MR. JUDD IN THE HESS CASE. JUDD IS FCO MINISTER OF STATE AND IS RESPONSIBLE FOR HUMAN RIGHTS MATTERS.

2. THE PROPOSED US REPLY SET OUT BELOW CONTAINS ONLY ONE NEW ELEMENT WHICH HAS NOT APPEARED IN OTHER REPLIES TO INQUIRIES ON HESS, I.E. THE REFERENCE TO IMPROVEMENTS IN HIS CONDITIONS OF IMPRISONMENT. WE UNDERSTAND THAT USBER IS OF THE VIEW THAT IT WOULD BE UNWISE TO SPELL THESE IMPROVEMENTS OUT IN MORE DETAIL SINCE TO DO SO COULD CAUSE THE SOVIETS TO BE LESS CONFIDENTIAL

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FORTHCOMING IN THE FUTURE (REF E). WHILE WE CANNOT JUDGE THE LIKELY SOVIET REACTION TO SEEING A PUBLIC REFERENCE TO UNSPECIFIED IMPROVEMENTS, WE ASSUME THAT THE REFERENCE MADE IN THE DRAFT REPLY IS SUFFICIENTLY VAGUE SO THAT IT WILL NOT CAUSE AN ADVERSE REACTION. WE KNOW THAT THE FCO WOULD LIKE, AT LEAST PARTIALLY IN VIEW OF THE POLITICAL PRESSURE TO WHICH IT IS BEING SUBJECTED IN THE HESS CASE, FOR THE ALLIES TO INDICATE CLEARLY THAT THERE HAVE BEEN (UNSPECIFIED) IMPROVEMENTS AND TO TAKE CREDIT FOR THEM.

3. WITH RESPECT TO THE LEVEL OF RESPONSE, WE SUGGEST THAT IT BE AT A REASONABLY HIGH LEVEL IN THE DEPARTMENT SINCE THE FRENCH FOREIGN MINISTER IS REPORTEDLY EXPECTED TO REPLY AND GOROWNY-ROBERTS HAS REPLIED ON BEHALF OF THE UK FOREIGN SECRETARY. WE HAVE ALSO LEFT TO THE DEPARTMENT THE DRAFTING OF THE COMPLIMENTARY OPENING AND CLOSING OF THE LETTER.

4. THE TEXT OF THE SUBSTANTIVE PORTIONS OF THE SUGGESTED US REPLY IS:

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QUOTE: AS YOU ARE NO DOUBT AWARE, THE UNITED STATES

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PM-04 NSC-05 SP-02 SS-15 NSCE-00 /071 W
----------124741 291256Z /47
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FM AMEMBASSY BONN
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GOVERNMENT, AS HAVE THE BRITISH AND FRENCH GOVERNMENTS, HAS REPEATEDLY SOUGHT TO SECURE SOVIET AGREEMENT TO THE RELEASE OF RUDOLF HESS. THIS REQUEST WAS MADE MOST RECENTLY SEVERAL MONTHS AGO AND, AS HAS BEEN THE CASE SINCE THE MATTER WAS FIRST RAISED IN 1964, THE SOVIET RESPONSE WAS NEGATIVE. MR. HESS IS IMPRISONED UNDER THE TERMS OF FOUR-POWER AGREEMENTS AND HIS RELEASE OR ANY CHANGE IN THE CONDITIONS OF HIS IMPRISONMENT REQUIRE UNANIMOUS AGREEMENT.

THE GOVERNMENT OF THE UNITED STATES DOES NOT SHARE YOUR VIEW THAT THE CONDITIONS OF HIS IMPRISONMENT CONSTITUTE "CRUEL, INHUMAN OR DEGRADING TREATMENT." ALTHOUGH MR. HESS IS THE SOLE PRISONER IN SPANDAU, THE CONDITIONS OF HIS IMPRISONMENT HAVE NEVER CONSTITUTED "SOLITARY CONFINEMENT," WHICH IS A SEVERE REGIME INDEED. FURTHERMORE, SUBSTANTIAL IMPROVEMENTS IN HIS

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CONDITIONS OF IMPRISONMENT HAVE BEEN INTRODUCED IN RECENT YEARS.

I CAN ASSURE YOU THAT MR. HESS IN NO WAY LACKS ADEQUATE MEDICAL CARE. AFTER HIS MOST RECENT THOROUGH MEDICAL EXAMINATION, THE EXAMINING PHYSICIANS WERE OF THE VIEW THAT, TAKING INTO ACCOUNT HIS AGE, HIS MENTAL AND PHYSICAL CONDITION GIVES NO CAUSE FOR CONCERN.

PLEASE BE ASSURED THAT THE AMERICAN GOVERNMENT WILL CONTINUE TO ATTEMPT TO SECURE FOUR-POWER AGREEMENT TO THE RELEASE OF MR. HESS AND WILL TAKE ALL APPROPRIATE MEASURES TO ENSURE THAT THE CONDITIONS OF HIS IMPRISONMENT ARE ALLEVIATED TO THE GREATEST DEGREE POSSIBLE.
END QUOTE

5. THE TEXT OF THE UK REPLY IS:

QUOTE: IN MR. JUDD'S ABSENCE ABROAD I HAVE BEEN ASKED TO REPLY TO YOUR LETTER OF 25 MAY TO DAVID OWEN ABOUT RUDOLF HESS.

WE WELCOME YOUR INTEREST IN HESS' CASE. AS YOU WILL KNOW, IT HAS LONG BEEN THE VIEW OF SUCCESSIVE BRITISH GOVERNMENTS THAT THE CONTINUED IMPRISONMENT OF THIS OLD AND BROKEN MAN IS UNNECESSARY AND INHUMANE, AND SHOULD BE ENDED AT ONCE. THE FRENCH AND AMERICAN GOVERNMENTS SHARE OUR VIEW. THE DIFFICULTY HAS ALWAYS BEEN THAT THE SOVIET GOVERNMENT DO NOT, AND HAVE CONSISTENTLY REJECTED ALL THE ATTEMPTS OF THE THREE WESTERN ALLIES TO SECURE HESS'S RELEASE. UNDER THE AGREEMENTS GOVERNING HESS'S IMPRISONMENT AT SPANDAU, HE CANNOT BE RELEASED WITHOUT THE CONSENT OF
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ALL OF THE FOUR POWERS.

YOU MAY KNOW THAT ON 29 APRIL MR. JUDD TOOK UP THIS MATTER ONCE AGAIN WITH THE SOVIET AMBASSADOR, AND EXPRESSED IN STRONG TERMS THE BRITISH GOVERNMENT'S CONCERN, AND THE CONCERN WIDELY FELT IN THIS COUNTRY, AT HESS'S CONTINUED IMPRISONMENT. MR. JUDD ASKED THE AMBASSADOR TO CONVEY TO HIS GOVERNMENT A MOST EARNEST REQUEST TO TAKE A FRESH LOOK AT THE MERITS OF THE CASE, AND TO AGREE TO HESS'S RELEASE AND RETURN TO HIS FAMILY. THE FRENCH AND AMERICAN GOVERNMENTS HAVE

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RECENTLY MADE THEIR VIEWS KNOWN IN SIMILAR TERMS TO THE SOVIET AUTHORITIES. THE SOVIET RESPONSE HAS, I REGRET TO SAY, ONCE AGAIN BEEN TOTALLY NEGATIVE. MEANWHILE THE THREE WESTERN ALLIES HAVE ALSO BEEN DOING WHAT THEY CAN TO SECURE SOVIET AGREEMENT TO IMPROVEMENTS IN HESS'S CONDITIONS OF IMPRISONMENT.

YOU ALSO RAISED IN YOUR LETTER THE QUESTION OF HESS'S HEALTH. HESS'S HEALTH IS ALWAYS KEPT UNDER CLOSE OBSERVATION BY THE DOCTORS OF THE FOUR POWERS, AND HE HAS RECENTLY UNDERGONE AN X-RAY EXAMINATION AT THE BRITISH MILITARY HOSPITAL IN BERLIN. IT IS OF COURSE IMPOSSIBLE TO BE COMPLACENT ABOUT THE STATE OF HEALTH OF A MAN OF HESS'S AGE; BUT I CAN ASSURE YOU THAT HIS CONDITION DOES NOT, IN THE VIEW OF HIS DOCTORS, CREATE ANY IMMEDIATE CAUSE FOR CONCERN. HE IS RECEIVING ALL NECESSARY MEDICAL ATTENTION IN SPANDAU.

IN CONCLUSION, I CAN ASSURE YOU THAT WE MEAN TO KEEP UP THE PRESSURE ON THE SOVIET GOVERNMENT ON THIS ISSUE UNTIL THEY AGREE TO LET HESS GO. WE VERY MUCH VALUE THE SUPPORT WHICH OUR EFFORTS HAVE RECEIVED

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PM-04 NSC-05 SP-02 SS-15 NSCE-00 /071 W
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O R 291212Z JUN 77
FM AMEMBASSY BONN
TO SECSTATE WASHDC IMMEDIATE 9434
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FROM MEMBERS OF THE PUBLIC IN THIS AND IN OTHER
COUNTRIES, AND WE ARE GRATEFUL TO YOU FOR WRITING
ON BEHALF OF AMNESTY INTERNATIONAL. END QUOTE

6. AN UNOFFICIAL TRANSLATION OF THE TEXT OF THE
FRENCH DRAFT REPLY FOLLOWS. THE FRENCH BONN GROUP REP
PLANNS TO SUGGEST THAT THE QUAI ADD A REBUTTAL OF
AMNESTY'S ARGUMENT THAT THE CONDITIONS OF HIS IMPRISON-
MENT ARE INHUMAN.

QUOTE:

DEAR MR. SECRETARY GENERAL:

BY YOUR LETTER OF 2 JUNE YOU HAVE SOUGHT TO BRING
MY ATTENTION TO THE CASE OF RUDOLF HESS AND THE
MEASURES WHICH COULD BE TAKEN BY THE ALLIED GOVERNMENTS
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TO END THE SOLITARY STATE IN WHICH HE FINDS HIMSELF
FOR 30 YEARS.

THE FRENCH GOVERNMENT HAS ASSOCIATED ITSELF ON
SEVERAL OCCASIONS WITH DEMARCHES FOR THE PURPOSE OF
OBTAINING THE FREEDOM OF THE LAST PRISONER OF SPANDAU.
BUT, AS YOU KNOW, THE RELEASE OF RUDOLF HESS REQUIRES
THE AGREEMENT OF THE FOUR RESPONSIBLE POWERS. HOWEVER,
THE SOVIET UNION CONTINUES TO OPPOSE A STEP OF THIS
NATURE.

I CAN NONETHELESS ASSURE YOU THAT THE FRENCH
GOVERNMENT WILL CONTINUE ITS EFFORTS WITH THE VIEW
OF OBTAINING THE FREEDOM OF RUDOLF HESS AND, IN THE
MEANTIME, TO SEE TO IT THAT THE CONDITIONS OF HIS
IMPRISONMENT ARE AS SATISFACTORY AS POSSIBLE.
(COMPLIMENTARY CLOSE)

END QUOTE

7. ACTION REQUESTED: WE RECOMMEND THAT THE
DEPARTMENT REPLY TO AMNESTY INTERNATIONAL, USING THE

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TEXT IN PARAGRAPH 4, AT AN APPROPRIATELY HIGH LEVEL.
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Message Attributes

Automatic Decaptioning: X
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
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Original Handling Restrictions: n/a
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Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
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SAS ID: 2273116
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Status: NATIVE
Subject: RUDOLF HESS: APPEAL FROM AMNESTY INTERNATIONAL
TAGS: PGOV, WB, UK, UR, US, FR, (HESS, RUDOLF)
To: STATE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/669cb784-c288-dd11-92da-001cc4696bcc
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